

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:

LEAR CAPITAL, INC.,¹

Debtor.

Chapter 11 (Subchapter V)

Case No. 22-10165 (BLS)

**NOTICE OF *AMENDED*² AGENDA OF MATTERS SCHEDULED
FOR HEARING ON APRIL 27, 2022 AT 11:00 A.M. (ET)**

**THE REMOTE HEARING WILL BE CONDUCTED ENTIRELY BY ZOOM AND
REQUIRES ALL PARTICIPANTS TO REGISTER IN ADVANCE.**

COURTCALL WILL NOT BE USED TO DIAL IN.

PLEASE USE THE FOLLOWING LINK TO REGISTER FOR THE HEARING:

https://debuscourts.zoomgov.com/meeting/register/vJIsde-qpzMvH_ZhB3-BALCdFUKzwVgQokA

**ONCE REGISTERED, PARTIES WILL RECEIVE A CONFIRMATION EMAIL
CONTAINING PERSONAL LOG-IN INFORMATION FOR THE HEARING.**

**ALL PARTIES MUST REGISTER NO LATER THAN 9:00 A.M. (ET)
ON APRIL 27, 2022**

RESOLVED MATTERS:

1. Debtor's Motion for Interim and Final Orders Authorizing: (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System, and (IV) Continued Use of Business Forms Pursuant to 11 U.S.C. §§ 105, 345, 363, 364, 503, 1107 and 1108 of the Bankruptcy Code [[Docket No. 6](#), Filed March 2, 2022].

Objection Deadline: March 17, 2022 at 4:00 p.m.

¹ The last four digits of the Debtor's federal tax identification number are 7197. The Debtor's address is 1990 S. Bundy Drive, Suite 600, Los Angeles CA 90025.

² Amended items appear in **BOLD**.

Responses/Objections Received:

- A. Unites States Trustee's Limited Objection and Reservation of Rights Concerning Debtor's Motion for Interim and Final Orders Authorizing: (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System, and (IV) Continued Use of Business Forms Pursuant to 11 U.S.C. §§ 105, 345, 363, 364, 503, 1107 and 1108 of the Bankruptcy Code [[Docket No. 53](#), Filed March 16, 2022].

Related Documents:

- A. Declaration of John Ohanesian, President and CEO of Lear Capital, Inc., in Support of First Day Motions [[Docket No. 15](#), Filed March 2, 2022].
- B. Interim Order Authorizing: (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System, and (IV) Continued Use of Business Forms Pursuant to 11 U.S.C. §§ 105, 345, 363, 364, 503, 1107 and 1108 of the Bankruptcy Code [[Docket No. 27](#), Entered March 4, 2022].
- C. Certification of Counsel Regarding Debtor's Motion for Final Order Authorizing: (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System, and (IV) Continued Use of Business Forms Pursuant to 11 U.S.C. §§ 105, 345, 363, 364, 503, 1107 and 1108 of the Bankruptcy Code [[Docket No. 87](#), Filed March 30, 2022].
- D. Final Order Authorizing: (I) Maintenance of Existing Bank Accounts, (II) Suspending the Requirements of Section 345(b); (III) Continued Use of Existing Cash Management System, and (IV) Continued Use of Business Forms [[Docket No. 92](#), Entered March 31, 2022].

Status: A Final Order has been entered. No Hearing is Necessary.

- 2. Debtor's Motion for Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 44](#), Filed March 11, 2022].

Objection Deadline: April 8, 2022 at 4:00 p.m.

Responses/Objections Received:

- A. Informal comments from the Office of the United States Trustee.

Related Documents:

- A. Certification of Counsel Regarding Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 116](#), Filed April 11, 2022].
- B. Order Establishing Procedures for Interim Compensation and Reimbursement of Professionals [[Docket No. 118](#), Entered April 12, 2022].

Status: An Order has been entered. No hearing is necessary.

- 3. Debtor's Motion for Entry of an Order Extending the Debtors Time to File Its Schedules and Statement of Financial Affairs [[Docket No. 45](#), Filed March 14, 2022].

Objection Deadline: March 28, 2022 at 4:00 p.m.

Responses/Objections Received: None.

Related Documents:

- A. Certificate of No Objection Regarding Debtor's Motion for Entry of an Order Extending the Debtors Time to File Its Schedules and Statement of Financial Affair [[Docket No. 85](#), Filed March 29, 2022].
- B. Order Extending the Debtors Time to File Its Schedules and Statement of Financial Affair [[Docket No. 91](#), Entered March 31, 2022].

Status: An Order has been entered. No hearing is necessary.

- 4. Application of the Debtor to Employ and Retain Shulman Bastian Friedman & Bui LLP as Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 46](#), Filed March 15, 2022].

Objection Deadline: April 5, 2022 at 4:00 p.m.

Responses/Objections Received:

- A. Informal comments from the Office of the United States Trustee.

Related Documents:

- A. Supplemental Declaration of Alan J. Friedman in Support of the Application of the Debtor to Employ and Retain Shulman Bastian Friedman & Bui LLP as Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 79](#), Filed March 24, 2022].

- B. Certification of Counsel Regarding Order Authorizing the Retention and Employment of Shulman Bastian Friedman & Bui LLP as Bankruptcy Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 99](#), Filed April 6, 2022].
- C. Order Authorizing the Retention and Employment of Shulman Bastian Friedman & Bui LLP as Bankruptcy Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 111](#), Entered April 11, 2022].

Status: An Order has been entered. No hearing is necessary.

- 5. Debtor's Application for Entry an Order Authorizing and Approving the Employment of Morris James LLP as Counsel to the Debtor *nunc pro tunc* to March 2, 2022 [[Docket No. 47](#), Filed March 15, 2022].

Objection Deadline: April 5, 2022 at 4:00 p.m.

Responses/Objections Received:

- A. Informal comments from the Office of the United States Trustee.

Related Documents:

- A. Supplemental Declaration of Jeffrey R. Waxman in Support Debtor's Application for Entry an Order Authorizing and Approving the Employment of Morris James LLP as Counsel to the Debtor *nunc pro tunc* to March 2, 2022 [[Docket No. 76](#), Filed March 23, 2022].
- B. Certification of Counsel Regarding Order Authorizing and Approving the Employment of Morris James LLP as Counsel to the Debtor *nunc pro tunc* to March 2, 2022 [[Docket No. 100](#), Filed April 6, 2022].
- C. Order Authorizing and Approving the Employment of Morris James LLP as Counsel to the Debtor *nunc pro tunc* to March 2, 2022 [[Docket No. 112](#), Entered April 11, 2022].

Status: An Order has been entered. No hearing is necessary.

- 6. Application for Entry of an Order Authorizing the Retention and Employment of Mitchell Silberberg & Knupp LLP as Special Litigation and Corporate Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 48](#), Filed March 15, 2022].

Objection Deadline: April 5, 2022 at 4:00 p.m.

Responses/Objections Received:

- A. Informal comments from the Office of the United States Trustee.

Related Documents:

- A. Supplemental Declaration of Seth E. Pierce in Support of the Application for Entry of an Order Authorizing the Retention and Employment of Mitchell Silberberg & Knupp LLP as Special Litigation and Corporate Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 97](#), Filed April 6, 2022].
- B. Certification of Counsel Regarding Order Authorizing the Retention and Employment of Mitchell Silberberg & Knupp LLP as Special Litigation and Corporate Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 101](#), Filed April 6, 2022].
- C. Order Authorizing the Retention and Employment of Mitchell Silberberg & Knupp LLP as Special Litigation and Corporate Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 113](#), Entered April 11, 2022].

Status: An Order has been entered. No hearing is necessary.

- 7. Application for Entry of an Order (I) Authorizing the Retention and Employment of Paladin Management Group, LLC as Financial Advisor to the Debtor, *Nunc pro Tunc* to the Petition Date, and (II) Granting Related Relief [[Docket No. 49](#), Filed March 15, 2022].

Objection Deadline: April 5, 2022 at 4:00 p.m.

Responses/Objections Received:

- A. Informal comments from the Office of the United States Trustee.

Related Documents:

- A. Supplemental Declaration of Lance Miller in Support of Application for Entry of an Order (I) Authorizing the Retention and Employment of Paladin Management Group, LLC as Financial Advisor to the Debtor, *Nunc pro Tunc* to the Petition Date, and (II) Granting Related Relief [[Docket No. 95](#), Filed April 1, 2022].
- B. Certification of Counsel Regarding Order (I) Authorizing the Retention and Employment of Paladin Management Group, LLC as Financial Advisor to the Debtor, *Nunc pro Tunc* to the Petition Date, and (II) Granting Related Relief [[Docket No. 102](#), Filed April 6, 2022].
- C. Order (I) Authorizing the Retention and Employment of Paladin Management Group, LLC as Financial Advisor to the Debtor, *Nunc pro Tunc* to the Petition Date, and (II) Granting Related Relief [[Docket No. 114](#), Entered April 11, 2022].

Status: An Order has been entered. No hearing is necessary.

8. Application for an Entry of an Order Authorizing the Retention and Employment of The Cook Law Firm, P.C. as Special Insurance Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 56](#), Filed March 18, 2022].

Objection Deadline: April 8, 2022 at 4:00 p.m.

Responses/Objections Received:

- A. Informal comments from the Office of the United States Trustee.

Related Documents:

- A. Supplemental Declaration of Phillip E. Cook in Support of the Application for an Entry of an Order Authorizing the Retention and Employment of The Cook Law Firm, P.C. as Special Insurance Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 58](#), Filed March 21, 2022].
- B. Second Supplemental Declaration of Phillip E. Cook in Support of the Application for an Entry of an Order Authorizing the Retention and Employment of The Cook Law Firm, P.C. as Special Insurance Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 98](#), Filed April 6, 2022].
- C. Certification of Counsel Regarding Order Authorizing the Retention and Employment of The Cook Law Firm, P.C. as Special Insurance Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 115](#), Filed April 11, 2022].
- D. Order Authorizing the Retention and Employment of The Cook Law Firm, P.C. as Special Insurance Counsel to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 117](#), Entered April 12, 2022].

Status: An Order has been entered. No hearing is necessary.

MATTERS WITH CERTIFICATION OF COUNSEL/NO OBJECTION (COC/CNO):

9. Debtor's Application for Entry of an Order Authorizing the Employment and Retention of BMC Group, Inc. as Administrative Advisor Effective as of March 2, 2022 [[Docket No. 86](#), Filed March 30, 2022].

Objection Deadline: April 20, 2022 at 4:00 p.m.

Responses/Objections Received:

- A. Informal comments received from the Office of the United States Trustee.

Related Documents:

- A. Supplemental Declaration of Tinamarie Feil in Support of Debtor's Application for Entry of an Order Authorizing the Employment and Retention of BMC Group, Inc. as Administrative Agent Effective as of March 2, 2022 [[Docket No. 125](#), Filed April 18, 2022].
- B. Certification of Counsel Regarding Order Authorizing the Employment and Retention of BMC Group, Inc. as Administrative Advisor Effective as of March 2, 2022 [[Docket No. 137](#), Filed April 22, 2022].
- C. Order Authorizing the Employment and Retention of BMC Group, Inc. as Administrative Advisor Effective as of March 2, 2022 [[Docket No. 146](#), Entered April 25, 2022].**

Status: An Order has been entered. No hearing is necessary.

- 10. Debtor's Application for Entry of an Order Authorizing the Employment and Retention of Baker Tilly US, LLP as Accountants to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 96](#), Filed April 4, 2022].

Objection Deadline: April 20, 2022 at 4:00 p.m.

Responses/Objections Received:

- A. Informal comments received from the Office of the United States Trustee.

Related Documents:

- A. Supplemental Declaration of Jere G. Shawver in Support of the Debtor's Application for Entry of an Order Authorizing the Retention and Employment of Baker Tilly US, LLP as Accountants to the Debtor Nunc Pro Tunc to the Petition Date [[Docket No. 134](#), Filed April 22, 2022].
- B. Certification of Counsel Regarding Order Authorizing the Employment and Retention of Baker Tilly US, LLP as Accountants to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 135](#), Filed April 22, 2022].
- C. Order Authorizing the Employment and Retention of Baker Tilly US, LLP as Accountants to the Debtor *nunc pro tunc* to the Petition Date [[Docket No. 145](#), Entered April 25, 2022].**

Status: An Order has been entered. No hearing is necessary.

11. Motion of the Debtor for an Order Under Sections 105(a), 363(b), 363(c), and 503(b) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 6003 Authorizing Debtor to (A) Assume Obligations Under Surety Bond Program; (B) Incur Secured or Unsecured Surety Credit in the Ordinary Course of Business and (C) Pay All Obligations in Respect Thereof [[Docket No. 103](#), Filed April 6, 2022].

Objection Deadline: April 20, 2022 at 4:00 p.m., extended to April 25, 2022 for the Subchapter V Trustee.

Responses/Objections Received:

- A. Informal comments received from Subchapter V Trustee and the Office of the United States Trustee.

Related Documents:

- A. Certification of Counsel Regarding Order Under Sections 105(a), 363(b), 363(c), and 503(b) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 6003 Authorizing Debtor to (A) Assume Obligations Under Surety Bond Program; (B) Incur Secured or Unsecured Surety Credit in the Ordinary Course of Business and (C) Pay All Obligations in Respect Thereof [[Docket No. 141](#), Filed April 22, 2022].
- B. Order Under Sections 105(a), 363(b), 363(c), and 503(b) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 6003 Authorizing Debtor to (A) Assume Obligations Under Surety Bond Program; (B) Incur Secured or Unsecured Surety Credit in the Ordinary Course of Business and (C) Pay All Obligations in Respect Thereof [[Docket No. 147](#), Entered April 25, 2022].**

Status: An Order has been entered. No hearing is necessary.

MATTERS GOING FORWARD:

12. Order Setting Status Conference [[Docket No. 84](#), Filed March 29, 2022].

Pre-Status Report Deadline: April 13, 2022

Responses/Objections Received: None.

Related Documents:

- A. Subchapter V Status Report [[Docket No. 120](#), Filed April 13, 2022].

Status: This matter is going forward.

Dated: April 26, 2022
Wilmington, Delaware

MORRIS JAMES LLP

/s/ Brya M. Keilson

Jeffrey R. Waxman (DE Bar No. 4159)

Brya M. Keilson (DE Bar No. 4643)

500 Delaware Avenue, Suite 1500

Wilmington, DE 19801

Telephone: (302) 888-6800

Facsimile: (302) 571-1750

E-mail: jwaxman@morrisjames.com

E-mail: bkeilson@morrisjames.com

and

SHULMAN BASTIAN FRIEDMAN & BUI LLP

Alan J. Friedman (admitted *pro hac vice*)

Melissa Davis Lowe (admitted *pro hac vice*)

100 Spectrum Center Drive; Suite 600

Irvine, CA 92618

Telephone: (949) 340-3400

Facsimile: (949) 340-3000

E-mail: afriedman@shulmanbastian.com

E-mail: mlowe@shulmanbastian.com

*Counsel to the Debtor and Debtor
in Possession*